

**IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF ARKANSAS  
PINE BLUFF DIVISION**

BYRON L. WALLACE,  
ADC #107098

PLAINTIFF

v.

5:13CV00155-SWW-JTK

WENDY KELLEY, et al.

DEFENDANTS

**ORDER**

The Court has received proposed findings and partial recommendations from United States Magistrate Judge Jerome T. Kearney. After a review of those proposed findings and recommendations, and the timely objections received thereto, as well as a de novo review of pertinent portions of the record, the Court adopts the partial report and recommendations in their entirety. Accordingly,

IT IS, THEREFORE, ORDERED that Defendants Kelley, Austin, Morgan, Mizell, Esau, and White are DISMISSED from this action based on Plaintiff's failure to state a claim upon which relief may be granted.

IT IS SO ORDERED THIS 18<sup>TH</sup> DAY OF JUNE, 2013.

/s/Susan Webber Wright

UNITED STATES DISTRICT JUDGE